

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:08CV01984 ERW
)
SEVENTY THOUSAND,)
SEVENTY ONE DOLLARS)
(\$70,071.00) U.S. CURRENCY,)
)
Defendant.)

PLAINTIFF'S NOTICE OF CASE STATUS

Comes now, the United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Julia M. Wright, Assistant United States Attorney for said district, and states as follows:

1. On November 26, 2008, the claimant in the instant case, Robert Wheeler, was indicted in cause number 4:08CR00678 CEJ with knowingly and intentionally distributing five grams or more of a mixture or substance containing a detectable amount of cocaine base (crack), in violation of Title 21, United States Code, Sections 841(a)(1). Count III of the criminal indictment seeks criminal forfeiture of \$70,071.00, in violation of Title 21, United States Code, Section 853.
2. On December 24, 2008, the United States of America filed a civil Complaint for Forfeiture in the above-styled case regarding the \$70,071.00 defendant property. This \$70,071.00 is the same property which the government seeks to forfeit in the criminal case noted above.
3. On January 5, 2009, a motion to stay the civil proceedings was granted by this Honorable Court, pending the resolution of the criminal case, cause number 4:08CR00678 CEJ.

4. On March 5, 2009, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court by May 8, 2009.

5. On May 8, 2009, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on July 1, 2009.

6. On July 6, 2009, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on September 1, 2009.

7. On September 1, 2009, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on October 1, 2009.

8. On October 2, 2009, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on December 1, 2009.

9. On December 1, 2009, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on February 1, 2010.

10. On February 1, 2010, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on April 1, 2010.

11. On April 12, 2010, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on June 15, 2010.

12. On June 17, 2010, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on August 20, 2010.

13. On August 23, 2010, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on October 22, 2010.

14. On October 21, 2010, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on January 7, 2011.

15. On January 10, 2011, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on April 15, 2011.

16. On April 18, 2011, it was further ordered that a status report regarding the instant action and the criminal case be filed with the court on July 15, 2011.

17. The defendant Robert Wheeler has not yet been located, therefore, the arrest warrant is still pending pursuant to the indictment in the criminal case and the conditions that warrant the stay in the instant civil action are still present.

WHEREFORE, the Government respectfully requests that this Honorable Court continue the stay in this cause, pending the resolution of the criminal case in Cause No. 4:08CR00678 CEJ.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

/s/ Julia M. Wright _____
JULIA M. WRIGHT, 4450
Assistant United States Attorney
111 South Tenth Street, 20th Floor
St. Louis, Missouri 63102
(314) 539-2200

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2011, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Wesley Bell
Attorney at Law
818 Lafayette Ave.
St. Louis, MO 63104

/s/ Julia M. Wright _____
JULIA M. WRIGHT, 4450